

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

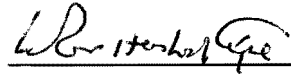
JUSTIN D. GOLDMAN,	:	
Petitioner,	:	
vs.	:	Case No. 3:10 ⁰⁹ cv00360
WARDEN, Lebanon Correctional Institution,	:	District Judge Walter Herbert Rice Magistrate Judge Sharon L. Ovington
Respondent.	:	
	:	

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON APRIL 21, 2010 (Doc. #8); GRANTING RESPONDENT'S MOTION TO DISMISS (Doc. #6); DENYING AND DISMISSING JUSTIN D. GOLDMAN'S PETITION FOR WRIT OF HABEAS CORPUS (Doc. #1); DENYING PETITIONER LEAVE TO APPEAL *IN FORMA PAUPERIS* AND ANY REQUESTED CERTIFICATE OF APPEALABILITY; TERMINATING THE CASE ON THE DOCKET OF THIS COURT; AND TERMINATING THE CASE ON THE DOCKET OF THIS COURT

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #8), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** in full said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on April 21, 2010 (Doc. #8) is ADOPTED in full;
2. Respondent's Motion to Dismiss (Doc. # 6) is GRANTED;

3. Justin D. Goldman's Petition for Writ of Habeas Corpus (Doc. #1) is DENIED and DISMISSED;
4. Petitioner is denied leave to appeal *in forma pauperis* and is denied a certificate of appealability; and
5. The case is terminated on the docket of this Court.



Walter Herbert Rice
United States District Judge